

## Message Text

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71

ACTION L-03

INFO OCT-01 EUR-25 ISO-00 IO-14 A-01 SY-10 CPR-02 USSS-00

FBIE-00 CIAE-00 DODE-00 PM-07 H-03 INR-10 NSAE-00

NSC-10 PA-04 RSC-01 PRS-01 SPC-03 SS-20 USIA-15

ACDA-19 AF-10 ARA-16 EA-11 NEA-10 DRC-01 /197 W

----- 119490

R 161731Z OCT 73

FM AMEMBASSY BONN

TO USMISSION USUN NEW YORK

INFO SECSTATE WASHDC 8093

AMEMBASSY LONDON

C O N F I D E N T I A L BONN 14998

E.O. 11652: N/A

TAGS: UNGA, PINS, GW

SUBJECT: UNGA-LEGAL COMMITTEE-PROTECTION OF DIPLOMATS

REF: (A) USUN 3934; (B) BONN 14934

1. CONCERN EXPRESSED AND POINTS MADE REFTEL PASSED TO HOFFMANN, FONOFF LEGAL DIVISION. EMBOFF LATER INFORMED BY FONOFF REP (HOLDERBAUM) THAT FONOFF TODAY SENT INSTRUCTIONS TO FRG UN MISSION TO RAISE SUGGESTION QUOTED PARA 3, REFTEL B, NOW FULLY CLEARED FRG POSITION, IN WESTERN GROUP URGING ITS ADOPTION BY GROUP AND SUPPORT FOR IT IN COMMITTEE; HOWEVER, IF WESTERN GROUP DOES NOT ADOPT FRG SUGGESTION OR IF LEGAL COMMITTEE CONSIDERATION OF ARTICLE 2 ALREADY CONCLUDED, FRG REPS ARE NOT TO RAISE SUGGESTION IN LEGAL COMMITTEE BUT ARE TO STATE THAT IN VIEW OF CONCERN EXPLAINED REFTEL B, FRG RATIFICATION OF CONVENTION MAY CONTAIN DECLARATION OR INTERPRETATION THAT ARTICLE 2(2) WOULD BE IMPLEMENTED IN FRG NOT BY PROVISION IN FRG PENAL CODE OF HIGHER RANGE OF PENALTIES WHEN VICTIM IS PROTECTED PERSON BUT BY SERIOUSNESS OF PENALTY URGED BY GERMAN PROSECUTOR UPON  
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COURT IN EACH CASE, WITHIN RANGE OF PENALTIES PROVIDED BY CURRENT FRG PENAL CODE FOR OFFENSE IN QUESTION.

2. EMBASSY BELIEVES THAT IF ARTICLE 2(2) LANGUAGE  
"TAKING INTO ACCOUNT AGGRAVATED NATURE OF THE OFFENSE"  
SHOULD BE DELETED, FRG STATEMENT ON POSSIBLE DECLARA-  
TION OR INTERPRETATION AS INDICATED ABOVE AND DECLARA-  
TION OR INTERPRETATION ITSELF WOULD NOT BE NECESSARY.

3. FONOFF REPS IN ANY EVENT ANXIOUS NOT TO ENDANGER  
CHANCES FOR MEANINGFUL CONVENTION OR AT LATE STAGE TO  
DISRUPT WESTERN GROUP OR COMMITTEE AGREEMENT ON  
LANGUAGE OF ARTICLE 2.  
HILLENBRAND

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** POLICE PROTECTION RIGHTS, COMMITTEES  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 16 OCT 1973  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** garlanwa  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1973BONN14998  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** GS HILLENBRAND  
**Errors:** N/A  
**Film Number:** n/a  
**From:** BONN  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1973/newtext/t19731030/aaaaawbq.tel  
**Line Count:** 73  
**Locator:** TEXT ON-LINE  
**Office:** ACTION L  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:**  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** (A) USUN 3934; (B) BONN 14934  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** garlanwa  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 07 AUG 2001  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <07-Aug-2001 by izenbei0>; APPROVED <20-Sep-2001 by garlanwa>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** UNGA-LEGAL COMMITTEE-PROTECTION OF DIPLOMATS  
**TAGS:** PINS, GE, UNGA  
**To:** n/a  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005